

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

<b>MICHAEL SKIPWORTH,</b>	)	<b>CASE NO. 1:08 CV 1154</b>
	)	
<b>Petitioner,</b>	)	<b>JUDGE DAN AARON POLSTER</b>
	)	
<b>vs.</b>	)	<b><u>MEMORANDUM OF OPINION</u></b>
	)	<b><u>AND ORDER</u></b>
<b>MARGARET BRADSHAW, Warden,</b>	)	
	)	
<b>Respondent.</b>	)	

Before the Court is the Report and Recommendation (“R&R”) of Magistrate Judge Greg White (*ECF No. 8*). The Magistrate Judge recommends that the Court grant Respondent’s motion to dismiss Petitioner Michael Skipworth’s Petition for Writ of Habeas Corpus under 28 U.S.C. § 2254 (*ECF No. 1*).

Having reviewed the Magistrate Judge’s thorough and well written R&R, the Court agrees with the Magistrate Judge’s recommendation in its entirety. Petitioner’s habeas petition was filed after the statute of limitations had run and Petitioner has provided no basis for equitable tolling. Moreover, Petitioner, who is represented by counsel, has not replied to Respondent’s motion to dismiss and has not filed timely objections to the Magistrate Judge’s R&R. Accordingly, the Court **ADOPTS** the Magistrate Judge’s R&R and **DENIES** Petitioner’s habeas petition. The above captioned case is hereby ordered dismissed as final. Further, the Court certifies, pursuant to 28 U.S.C. §1915(a), that an appeal from this decision could not be

taken in good faith, and that there is no basis upon which to issue a certificate of appealability.

**IT IS SO ORDERED.**

*/s/Dan Aaron Polster April 6, 2009*

**Dan Aaron Polster**

**United States District Judge**